

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SHEET METAL WORKERS)
NATIONAL HEALTH FUND) No. 3-09-0517
)
v.)
)
PETTUS MECHANICAL SERVICES,)
INC.)

O R D E R

On August 27, 2009, the plaintiff filed a "Notice of Voluntary Nonsuit" (Docket Entry No. 13), no answer or motion for summary judgment having been filed or served by the defendant.

As a result, the plaintiff's motion for preliminary injunction (Docket Entry No. 6) is rendered MOOT and the Clerk is directed to terminate that motion as pending.

In accord with Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, no further action on the part of the Court is required. Therefore, this case is DISMISSED without prejudice and the Clerk is directed to close this case on the records of the Court.

The Clerk is directed to mail a copy of this order to the defendant, c/o Grover Johnson, Registered Agent, 600 Ford Road, Muscle Shoals, Alabama 35662, by regular, first class mail (only).

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge